

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37107 of 2018

Arising Out of PS.Case No. -434 Year- 2017 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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1. Dhanraj Mahto @ Dhanraj Kuar, S/o Krishna Prasad, R/o vill.-
Mayapur, P.S.- Katrisarai, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate

For the Opposite Party/s: Smt. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 31-07-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Giriyak (Katri Sarai) P.S. Case No.434 of 2017** instituted for the offence under Section(s) 419, 420, 467, 468, 471 Indian Penal Code and Section 66 of the I.T. Act.

Counsel for the petitioner submits that nothing has been recovered from the possession of the petitioner.

In the written report, it is alleged that accused persons by making phone calls to different persons were cheating in the name of giving prize to the customers. The police arrested four persons and other persons managed to run away. The name of this petitioner has been disclosed by two apprehended persons



namely, Rajiv Ranjan and Vikas Kumar.

In this manner, the petitioner was not arrested at the spot and there is no recovery from his possession. It is mentioned in para 3 of the bail petition that petitioner has clean antecedents.

It is also submitted that another co-accused has already been granted anticipatory bail by coordinate Bench of this Court vide order dated 17.05.2018 passed in Cr. Misc. No.18327 of 2018.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Giriyak (Katri Sarai) P.S. Case No.434 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate-1st Nalanda, at Bihar Sharif**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without



proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

JA/-
Rohit Kr.

(Sanjay Priya, J)

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